

City of Coral Gables City Commission Meeting
Agenda Item F-1
May 27, 2008
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael “Ralph” Cabrera, Jr.
Commissioner Wayne “Chip” Withers

City Staff

City Manager, David Brown
City Attorney, Elizabeth Hernandez
City Clerk, Walter J. Foeman
City Clerk Staff, Billy Urquia
Assistant City Manager, Maria Jimenez

F-1 [Start 11:34:12 a.m.]

Annexation Update
Commissioner Rafael “Ralph” Cabrera, Jr.

Mayor Slesnick: Let's go back to F; these are Commissioner Cabrera's items, F-1 and F-2.

Commissioner Cabrera: Thank you. Mr. Manager I asked that you put on the item of annexation and specifically to provide the City Commission with an update as to where your office is with any ongoing issues or ongoing movement in the annexation through the County.

City Manager Brown: I will give you the most current status first, and that is that the City is waiting and has been waiting until the tax reform has settled down, so that I can provide to the Commission a set of numbers on both the Ponce-Davis area, the High Pines area and the Little Gables area, the property tax values versus the revenues it will take – the expenses it will take to bring those areas up to par, so the Commission can have a true number of if it's a good deal or if it's a bad deal.

Commissioner Cabrera: When do you anticipate getting that?

City Manager Brown: We'll have that done by the end of August, most likely August 31st. As you know we'll first get our first numbers on the statutory on July 1st, from those numbers we can work forward into the August area. The vote in November will have no affect on our property values, but may have an affect on the School Board values.

Commissioner Cabrera: Do you anticipate receiving any kind of push back from the County on mitigation fees?

City Manager Brown: That's a good question, because earlier this year and end of last year, the County had said that they are going to require mitigation fees, and I told them that wasn't going to happen, not going to pay for that. The County started to soften their issue on that and passed legislation so that mitigation could be negotiated away, or could come in the form of a compromise, but when that soften by the County took place, then property tax reform took over - and I just, its been the City's ball in their court waiting until that happens, because I really can't tell you what the value right now of "Little Gables" is, and what its going to cost to fix it up, and if its an upside down deal or right side up, I can't tell you that for High Pines...

Commissioner Cabrera: Is there any way for you to gauge though, is there any way for you to gauge through the County what their stance is going to be on mitigation fees?

City Manager Brown: I can call them, but as I said Commissioner, it looked like they were going to approve it since we were enclaves, but I can engage the County, I can talk to our Commissioners Gimenez and Sosa and County Manger Burgess and see if that stance that appeared to be softening then remains as is.

Commissioner Cabrera: Well, I would be interested in doing the same; I would be interested in engaging the Manager's office, as well as the two Commissioners, but I'm also interested in knowing how the rest of the City Commission feels about this, do you all have any positions on this issue at all?- or are you just waiting to see...

Commissioner Withers: I'm totally against mitigation fees...

Commissioner Cabrera: OK, well so am I.

Commissioner Withers: Without even...

Commissioner Cabrera: That was easy.

Commissioner Withers: In fact, I'd even like to take it a step further and say that we should get the franchise fees from Florida Power and Light, Southern Bell, Cable TV.

Commissioner Cabrera: On those communities.

Commissioner Withers: Yes. Secondly, my same criteria is that it has to be an area that basically supports itself, I think that's important. I don't want the Gables residents to have to subsidize the area.

Vice Mayor Kerdyk: How about if it's a combination of three areas?

Commissioner Withers: No.

Vice Mayor Kerdyk: So each area has to support itself.

Commissioner Cabrera: On its own?

Commissioner Withers: Yes, that's how I feel, you guys might feel differently.

Commissioner Cabrera: But you know what they are going to do; they are going to come back to us and tell us what Vice Mayor Kerdyk just outlined, they are going to say, the three areas are nothing.

Commissioner Withers: But think about it, if "Area A" makes you one dollar, and "Area B" loses you one dollar, what have we really gained for the residents of the City of Coral Gables.

Commissioner Cabrera: You're right, you're right, but what if "Area A" makes you a dollar, "Area B" makes you a dollar, and "Area C" cost you fifty cents, or cost you a dollar?

Commissioner Withers: Wait, wait, wait...

Commissioner Cabrera: What if two areas, "Area A" makes you a dollar, "Area B" makes you a dollar, and "Area C" cost you a dollar, you are still ahead...?

Commissioner Withers: Well I don't know.

Commissioner Cabrera: That's what they are going to do...

Commissioner Anderson: It's a package deal; you know it's a package deal.

Commissioner Cabrera: And the reason I'm trying to gauge how you all feel about this is, I don't want to go down to County Hall, and talk to Gimenez and Sosa and Burgess, and Alvarez and whomever else will listen, and then come to find out at the end of the day we're just not going to move forward with this thing.

Commissioner Withers: And then the other deal, I think, with the County is if, let's say "Area A" High Pines, "Area B" Ponce-Davis, and "Area C" North Little Gables, let's say that "A" and "B" vote in favor, but area "C" does not vote in favor, do we get to take "A" and "B", and not have to take "C"?

Commissioner Anderson: They won't, they made that clear over and over again.

Commissioner Withers: No, no, will the County allow that to happen, because I have a feeling the last time we did that code enforcement – in the few meetings that I met with the folks, they seem they have momentum that they do want to join, but there was still a fair number of folks that weren't really sure that they wanted to come to the Gables because of the potential code enforcement issues, and they couldn't afford to fix, and they couldn't afford to bring it to compliance. So my question to the County would be, if "A" and "B" signed off on it, but the residents in area "C" didn't would the deal still go through?

Commissioner Cabrera: Why don't you ask?

Commissioner Anderson: Good question.

City Manager Brown: And that's a question I need to ask, if they themselves don't want to become part of the Gables that question hasn't been asked.

Commissioner Cabrera: Why don't we have that dialogue with the County? That's an excellent question.

Vice Mayor Kerdyk: I thought we've been compiling numbers on these three areas for a long time.

City Manager Brown: We have been, but the property tax reform changed those numbers.

Vice Mayor Kerdyk: So you haven't gone back and revisited that.

City Manager Brown: I can't until at least July 1st.

Commissioner Cabrera: Do you think it's really going to change those numbers dramatically?

City Manager Brown: Well, I can tell you that "Area A" was a plus for the Gables, "Area B" was a plus for the Gables, and "Area C" and Maria Jimenez can correct me if I'm wrong, was just about break even at that time, and I don't know what has happened since then.

Commissioner Anderson: Without the numbers we can't really make an informed decision.

Commissioner Cabrera: You know, this is almost like metal roofs; I just like to get past it, you know, one way or the other, let's just get past this thing, you know, you've got people from all three of those communities reaching out to us, we are running this one course that not necessarily supported by the County; the County may want to look at the bigger picture, and I just like to bring this to some sort of closure.

City Manager Brown: I would too, but I can't do that without...

Commissioner Cabrera: Till August 31st.

City Manager Brown: The last thing I want to do is give you a recommendation when the numbers aren't solid.

Commissioner Cabrera: And I understand, but August 31st is right around the corner, in the meantime I think you've heard Commissioner Withers ask a very good question; and I've asked you to consider reaching out to your contacts at the County level, and I'm going to reach out to my own contacts there and see where they stand on this whole issue of mitigation; I agree with you Commissioner Withers, I think mitigation fees are unconstitutional.

City Manager Brown: I wouldn't recommend we do anything with any piece of property if mitigation fees were attached.

Ms. Jimenez: I also wanted to mention if I may, there was some recent legislation that was introduced by Commissioner Gimenez that basically would defer the whole idea of annexation and incorporation issue to a task force that would be put up to the election, or actually to the voters of Miami-Dade County to see if in fact it's the desire of the voters that a task force be put together to push the unincorporated areas to annex with the City or in fact to become new cities. So there is on the County side, there is some movement in trying to get this done, or at least see where the voters want to take it. But as the Manager mentioned as the City side, the tax reform issue and getting the correct numbers to present to you is something we are trying to target for.

Mayor Slesnick: Let's go back to your first point though, but your first point indicates to me that you are still in the same boat of the County not knowing exactly where it's at.

Assistant City Manager Jimenez: That's correct sir.

Commissioner Cabrera: And that could just linger forever.

Assistant City Manager Jimenez: It's right now in a committee that's called, the Governmental Operations and Environmental Committee, for review by this Committee to then propose it to the County Commission, to then decide whether it goes to the voters of Miami-Dade County.

Commissioner Cabrera: And that could take as long as two years.

Assistant City Manager Jimenez: Yes, but we are moving forward on our end, as far as the Manager has indicated, we intend to in August provide you, at least to get the numbers for the proposed revenues in the areas, to be able to compare it to the cost of providing the services for the area.

City Manager Brown: I'll just conclude, it's like metal roofs, it's been dragging and dragging and dragging, but it's just one thing after the other from the County; the County held us hostage for years because of the geographical cut out of the area of High Pines versus Ponce Davis, and then it was mitigation fees, and then it was Little Gables, and now it's property tax; I can't fault anybody for being frustrated, but it has been one thing after another.

Commissioner Cabrera: Anything else? I wanted this update, so I'm going to move forward with County officials, and you are going to get back to us after August 31st.

City Manager Brown: Right.

Commissioner Cabrera: Thank you.

[End: 11:43:50 a.m.]